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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 23-186; MB Docket No. 23-45; RM-11945; FR ID 130686]

Radio Broadcasting Services; Peach Springs, Arizona

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by ITM, LLC, proposing to amend the FM Table of Allotments, by substituting Channel 287A for vacant Channel 280A at Peach Springs, Arizona to accommodate the hybrid modification application for Station KIDD(FM) that proposes to upgrade from Channel 280A to Channel 280C2 at Fort Mohave, Arizona. A staff engineering analysis indicates that Channel 287A can be allotted to Peach Springs, Arizona, consistent with the minimum distance separation requirements of the Commission's rules, with a site restriction of 12.6 km (7.8 miles) northeast of the community. The reference coordinates are 35-33-18 NL and 113-18-02 WL.

DATES: Comments must be filed on or before May 1, 2023, and reply comments on or before May 16, 2023.

ADDRESSES: Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the counsel to petitioner as follows: Mark B. Denbo, c/o ITM, LLC, SMITHWICK & BELENDIUK, P.C., 5028 Wisconsin Avenue, N.W., Suite 301,

Washington, DC 20016.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418-2054.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Federal Communications Commission's (Commission) Notice of Proposed Rule Making, MB Docket No. 23-45, adopted March 7, 2023, and released March 8, 2023. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs>. The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs>. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all ex parte contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible ex parte contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division,

Media Bureau.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73 -- RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

2. In § 73.202, in paragraph (b), amend the Table of FM Allotments under Arizona by revising an entry for “Peach Springs” to read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) * * *

Table 1 to Paragraph (b)

[U.S. States]

	Channel No.
* * * * *	
Arizona	
* * * * *	* * * * *
Peach Springs	287A
* * * * *	* * * * *

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